

AMENDED IN SENATE APRIL 3, 2003

SENATE BILL

No. 748

Introduced by ~~Senator McPherson~~ *Senators McPherson and Denham*

February 21, 2003

An act to add and repeal Chapter 11 (commencing with Section 1500) of Division 6 of the Military and Veterans Code, relating to veterans.

LEGISLATIVE COUNSEL'S DIGEST

SB 748, as amended, McPherson. ~~Veterans~~ *Veterans' cemeteries.*

Existing law provides for the burial of veterans and veterans' spouses and the care of veterans' graves, and requires the Department of Veterans Affairs to develop certain state-owned and state-operated cemeteries, as specified.

~~This bill would state the intent of the Legislature to create a framework for determining the construction priority for future state-operated veterans cemeteries, until January 1, 2005, create the Governor's Commission on State Veterans Cemeteries within the Department of Veterans Affairs, composed as prescribed. It would require the commission to establish the need for state veterans' cemeteries, and locate and prioritize sites for the future construction of those cemeteries.~~

This bill would prohibit the department from implementing recommendations made by the commission without statutory authorization and specified federal funding.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes. State-mandated local program: no.

The people of the State of California do enact as follows:

~~SECTION 1. It is the intent of the Legislature to create a framework for determining the construction priority for future state-operated veterans cemeteries.~~

SECTION 1. Chapter 11 (commencing with Section 1500) is added to Division 6 of the Military and Veterans Code, to read:

CHAPTER 11. COMMISSION ON STATE VETERANS CEMETERIES

1500. There is hereby created within the Department of Veterans Affairs the Governor's Commission on State Veterans Cemeteries.

1501. The commission shall consist of seven members, as follows:

(a) There shall be five voting members, as follows:

(1) A veteran, as defined in Section 980, appointed by the Governor.

(2) A veteran, as defined in Section 980, appointed by the Speaker of the Assembly.

(3) A veteran, as defined in Section 980, appointed by the Senate Committee on Rules.

(4) The Secretary of Veterans Affairs or the secretary's authorized representative.

(5) The Chairperson of the California Veterans Board or the chairperson's designated representative, who shall also be a member of the board.

(b) There shall be two nonvoting *ex officio* members, as follows:

(1) The Chairperson of the Assembly Committee on Veterans Affairs.

(2) The Chairperson of the Senate Committee on Veterans Affairs.

1502. The commission shall have all of the following duties:

(a) Establish the need for the creation of state veterans' cemeteries and locate and prioritize sites for the future construction of those cemeteries, in accordance with that need.

(b) Give priority to a cemetery site that meets one or more of the following criteria:

(1) The site is available at no cost to the state.

1 (2) *The department has previously studied or prepared budget*
2 *packages, working drawings, or project cost summaries for the*
3 *site.*

4 (3) *The parcel size is large enough to support expected*
5 *interments for at least 20 years.*

6 (4) *The site has unique patriotic or military significance.*

7 (5) *There is a high concentration of veterans within the service*
8 *area of the site.*

9 (6) *The site is uncompromised by nearby incompatible land*
10 *uses.*

11 (c) *Report its findings to the Governor and the Legislature not*
12 *later than December 31, 2004.*

13 1503. *The department may not implement any*
14 *recommendation made pursuant to Section 1502 without statutory*
15 *authorization, and unless the United States Department of*
16 *Veterans Affairs State Cemetery Grants Program, as described in*
17 *Section 2408 of Title 38 of the United States Code, provides 100*
18 *percent of the project construction costs associated with the*
19 *implementation of the commission's recommendation.*

20 1504. *This chapter shall remain in effect only until January 1,*
21 *2005, and as of that date is repealed, unless a later enacted statute,*
22 *that is enacted before January 1, 2005, deletes or extends that date.*

